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Mr. Harvey Marshak
American University of Antigua
Two Penn Plaza - Suite 1500
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Dear Harvey:

With respect to the *Prospects Tracking System*, some business difficulties have been encountered and some resolution is needed before we can proceed. To insure that we have similar views of the situation, I've recapped the progress of this transaction below, hoping that you'll let me know if you believe any of this to be inaccurate or in conflict with your view.

1. In my November 9, 2003, revised proposal to AUA, the priority-oriented list of *several of the broad I-T areas upon which successful management of a high quality for-profit Medical School will rely* had been revised, raising to No. 1 the *Prospects Tracking Application* that had not earlier been considered as important.
2. You subsequently asked me to provide you with estimating figures relating to my proposal. Although you were advised that the development and operating environment had not yet been defined, making such estimates much more difficult, I completed the estimate, including a high-end estimate of 150 hours to implement an existing application (*Eliezer Zabrowsky's Prospects System*). This estimate had included some of my time, since we were then working against an early January start-up.
3. Subsequently you and I met at 95 Horatio St. where you indicated that inquiries had been received by AUA and that an automated system was needed for their management and retrieval. At that time I believed that the *Prospects Tracking System* should be implemented before undertaking additional projects.
4. After learning of David Willis' engagement, and discussing the matter with him at length, I suggested that my time were better applied to the implementation of the *Student Information System*, the application that Dave believed to be equally important, since Eliezer would be available on a part-time basis, and was fully capable of implementing his own system with a very minimum of supervision and Dave concurred.
5. Subsequent events resulted in the requirement that we suspend our activities on behalf of AUA. I then proposed an alternate plan for my involvement and your date for the Antigua startup was re-set.
6. A meeting was held at Two Penn Plaza that included nearly the entire AUA Staff, plus Linas Vituvis and me. Among the various subjects reviewed was Eliezer's *Prospect System*, including mention of the need to begin its implementation as soon as the hardware

was in place to support it. At that meeting I reiterated, without hearing any objection, that Eliezer would need to be paid for his time for an early meeting on the subject.

7. Pre-empting all other considerations, however, was the immediate need for computers in Antigua. By the time Linas and I were able to define the specifications for these items, you and Neal were preparing for your trip for the "Antigua Inaugural". At some point during that week you replied to my request that we meet with Eliezer soon by questioning the value of such a meeting, since the importance of the *Prospects Tracking Application* had already been firmly established, as well as AUA's need of it. As you may recall, I responded that my work and Linas' resulted in savings for AUA; Eliezer's effort resulted in generation of revenues. I justified the meeting on the grounds that Eliezer knew virtually nothing about AUA and had no contact with either of its principals or any of its employees since its formation. I also advised that any idea that Eliezer could develop before beginning his work could easily result in the capture of additional prospects, each of whom has the potential of increasing AUA revenues by at least \$100,000.
8. You responded favorably to that note; because of Eliezer's prior commitment, however, the meeting scheduled failed to materialize. In its rescheduling, I noted that yet another reason why this meeting was essential is that the nature of my relationship with AUA precludes my engagement of Eliezer on behalf of AUA.
9. Our meeting finally took place on Sunday, February 8. Initially it appeared as if all questions were addressed satisfactorily. You requested samples of output, which appeared to all three of us a quite reasonable request at the time. In retrospect, it has appears as if this request has become something of a sticking point.
10. Initially Eliezer believed that the output you wished to evaluate could be generated easily and quickly. As I understand the facts he had legitimate questions as to what medium to use for display of these reports. When *MS Access* reports are produced for display by *MS Word*, there exists a truncation problem that is disconcerting at the very least. I'm certain that he justifiably concluded that you do not have a copy of the Microsoft Access *Snapshot Viewer* that would permit easy attachment of reports in *Snapshot Format* to Email messages. To overcome any delay associated with resolving these questions, Eliezer decided to attach a copy of the *Prospects Application* module to his Email message, permitting you to produce any output directly.
11. Upon receiving this Email message from Eliezer, you notified me that the output samples you had requested had **not** been sent you. I then contacted Eliezer and together he and I spent a good deal of time attempting to produce the material you were looking for. Although my copy had data to display, I'm certain you will agree that it would have been entirely inappropriate for me to send you *Ross University's* data.

In retrospect it would have been appropriate (a) for you to voice your need to see such sample output prior to our meeting, (b) for me, in view of your initial wish to bypass the meeting entirely, to challenge your request at the meeting, (c) to expand on your request for the purpose of determining precisely what it is you wanted to see, or (d) to call to your attention the fact that output formats can be very easily modified under Microsoft Access. Currently, Eliezer has *nothing* to show you in response to your request for the very simple reason that there are no prospects in the system. In my opinion the investment of time to enter the data required to display output samples would be unwarranted in view of MS Access' capabilities.

Even in its 1997 version (in which Eliezer's application is implemented), *MS Access* is extremely flexible in terms of printed output format. It is no exaggeration that changing formats is a very simple matter. Unlike packaged *Contact Management* software products, Microsoft Access is a database management tool as well as a software development product. Its outstanding success is as much due to its flexibility in terms of output formats as its ease of use

at basic levels of data management. At present, at *Ross University*, I am focused primarily in the process of producing MS Access 97 reports from data entered and developed in the *Oracle-based Banner System*. *Crystal Reports*, a product having a licensing cost of more than ten times the entire projected cost of implementation of Eliezer's *Prospects System*, is the standard that had been adopted by *RU*, primarily because of its advanced Internet data transfer capability. It was found, however, that *Crystal Reports*, even with its exceptionally high price tag, did not have the flexibility and range of capabilities available in Microsoft Access. And the version of MS Access in use at *RU* is still *Access 97*.

It is my recommendation that, unless you have had second thoughts about implementing Eliezer's system, we proceed without delay. It is my belief that, in terms of *opportunity cost*, we have already lost far too much time. The way we can handle your output issues is for you to specify how you want the output to appear. As long as you request something that (a) is maintained in the system, or (b) can be computed from data maintained in the system, I'm certain you'll be able to see the output in a form acceptable to you. There is also the distinct possibility that the application can be expanded to handle that data that might be of interest to you that is not currently being maintained, provided that the data can be input.

Since your commitment was already in place before our February 8 meeting, there can be no doubt that you *want* the system. Our only concern at the moment appears to be bringing Eliezer back on board. He has reached the conclusion that the project has become extraordinarily complicated, and I can't say that I disagree with this conclusion. What appeared to be simply a matter of when to get started has become a question of whether you find the output satisfactory. Then there is the issue of when Eliezer would be paid for his time. I don't believe that there is any question *whether* he will be paid for time he has already expended; since I had informed you of this need on two separate occasions, there is no doubt in my mind that you need to be prompted, nor do I believe that output samples have become a precondition. I'm well aware that bills don't get processed instantly, especially when the Accounting Department consists of a controller working part time.

Considering, however, that your good faith may be open to question by those who don't know you well, and that the reputation of your institution may conceivably be at stake, I would urge you to make this case the object of a very special effort to process the payment ahead of schedule, leaving no question or doubt.

Thank you for your thoughtful consideration.

Sincerely,

Sol Weltman